



## **Minutes of the Regular Meeting of the Ankeny City Council**

Monday, February 1, 2010 - 5:30 P.M.

Ankeny City Hall – City Council Chambers

410 W. First Street, Ankeny, Iowa

Steven D. Van Oort, Mayor

Dave Kissinger, Mayor Pro tem

Council Members: Craig Block, Dave Kissinger, Wade Steenhoek, Gary L. Welch

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Mayor Van Oort called the meeting to order at 5:30 p.m. All Council members were present. City Manager, Carl Metzger, and City Attorney, Amy Beattie, were present.

Mayor Van Oort led the Pledge of Allegiance.

**CEREMONY:** none

### **A. PUBLIC FORUM**

Citizen Open Forum: none

### **B. APPROVAL OF AGENDA**

**ACTION #1.** Kissinger made the MOTION to approve and accept the February 1, 2010 agenda, with amendment: Addition of Consent Agenda Item CA-28, seconded by Strait.

#### **ROLL CALL**

2010-0201.01	YES	5	NO	0
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**C. PUBLIC HEARING(S):** none

### **D. REPORTS OF ADVISORY BOARDS AND COMMISSION:**

Plan & Zoning Commission Representative, Jean Austen presented a brief overview of the activities of the Plan & Zoning Commission.

Mayor's Youth Council Representatives, Trevor Sawatzky and Kelsey Arneson presented a brief overview of the activities of the Mayor's Youth Council.

**E. REPORT OF LOBBYIST:** none

Mayor Van Oort stated a lobbyist report will be given at the next regular council meeting of February 15, 2010.



**F. APPROVAL OF CONSENT AGENDA:**

• **Minutes**

- CA-1** Approval of official council actions of the regular meeting of January 18, 2010, as published, subject to correction, as recommended by the City Clerk.
- CA-2** Receive and file minutes of the Plan & Zoning Commission meeting of January 19, 2010, subject to correction, as recommended by the recording secretary.

• **Licenses and Permits:**

- CA-3** Consider motion to approve a Class B Beer Permit w/Sunday Sales for S & R Express, Inc., d/b/a Bosco's Pizza & Gyros, 802 SE Oralabor Road, Ste 128. (new)
- CA-4** Consider motion to approve a Special Class C Liquor License w/Sunday Sales for W & M, LLC d/b/a Thai Flavors, 757 North Ankeny Blvd. (renewal)
- CA-5** Consider motion to approve the addition of Sunday Sales Privilege to the current license for On The Waterfront Seafood Restaurant, Inc., d/b/a On The Waterfront Restaurant, 2414 SE Tones Dr. (new)
- CA-6** Consider motion to approve a Special Class C Liquor License (BW) w/carryout wine for Des Moines Area Community College, d/b/a Des Moines Area Community College, 2006 South Ankeny Blvd. (renewal)

• **Finance/Budget**

- CA-7** Consider motion to approve Payment #11 to CB&I, Inc., in the amount of \$49,400.00 for construction services on the 2.5 MG Elevated Water Storage Tank Project.
- CA-8** Consider motion to approve Payment #23 in the amount of \$12,513.20 to Howard R. Green Company for engineering services on the SW Water Tower Project.
- CA-9** Consider motion to approve Change Order #1 decreasing the contract amount by \$626.00 to MSA Professional Services, Inc., for the SW State Street Water Main Crossing Project.
- CA-10** Consider motion to approve Payment #2 in the amount of \$2,990.50 to MSA Professional Services, Inc., for the SW State Street Water Main Crossing Project.
- CA-11** Consider motion to approve Payment #4 in the amount of \$11,292.00 to Nilles Associates, Inc., for engineering services on The District at Prairie Trail Project.



- CA-12** Consider motion to approve Payment #13 in the amount of \$32,588.71 to Snyder & Associates, Inc., for engineering services on the East First Street Interchange Reconstruction Project.
- CA-13** Consider motion to approve Payment #9 in the amount of \$1,075.50 to Snyder & Associates for engineering services on the I-35 & East First Street Interchange Traffic Signal Improvements Project.
- CA-14** Consider motion to approve Payment #6 in the amount of \$3,293.00 to Snyder & Associates, Inc., for engineering services on the I-35 Widening Project - East First Street Interchange to NE 36<sup>th</sup> Street Interchange.
- CA-15** Consider motion to approve Payment #5 in the amount of \$17,692.75 to Snyder & Associates, Inc., for engineering services on the SE Corporate Woods Drive Railroad Overpass Project.
- CA-16** Consider motion to approve Payment #14 in the amount of \$12,200.35 to Snyder & Associates for engineering services on the SW Magazine Road and SW Cherry Street Construction Project.
- CA-17** Consider motion to approve Change Order #1 increasing the contract amount by \$7,512.00 to Synergy Contracting, LLC for the SW State Street Water Main Crossing Project.
- CA-18** Consider motion to approve the February 1, 2010 Accounts Payable from the following funds: General \$162,763.94, Road Use Tax \$31,707.08, Economic Development \$50.00, Contractor Bonds Trust \$200.00, Solid Waste \$496.08, Water \$124,644.37, Sewer \$57,880.06, Stormwater 1,220.54, Golf Course \$6,826.10, Enterprise Project \$112,753.43, Revolving \$20,469.60, Risk Mgmt \$15,858.07, Health Insurance \$92.00, Capital Projects \$94,346.31, Payroll \$740,251.65, Less Service Transfers (\$152.15), Less Agenda Pymts Approved Separately (\$143,046.01), Grand Total \$1,226,361.07. (Finance Committee: D. Kissinger, Chp., T. Strait, C. Block)

• **Personnel Items:**

- CA-19** Consider motion to approve continuing the early retirement program from July 1, 2010 to December 31, 2011 and the establishment of the Vantagecare Retirement Health Savings (RHS) Plan.

• **Community Development Items**

- CA-20** Consider motion to adopt RESOLUTION 2010-016, authorizing the Mayor to sign a sign agreement with Heartland Assembly of God Church which would allow a sign to be located within a public utility easement on their property at 1212 NW 36<sup>th</sup> Street in the City of Ankeny, Iowa.
- CA-21** Consider motion to adopt RESOLUTION 2010-017, setting a public hearing on the vacation of a 10-foot wide pedestrian easement located on Lot 3, Menards Ankeny Addition Plat 2. (date of hrg: 2/15/10 @ 5:30 p.m.)



- **Engineering Items:**

- CA-22 Consider motion to adopt RESOLUTION 2010-018, authorizing cost sharing for public improvements in Campus Town Plat 1. (\$36,500.00)

- **Capital Improvement Projects - Final Acceptance:** none

- **Administrative Items:**

- CA-23 Consider motion to adopt RESOLUTION 2010-019, re-appointing representatives to the Polk County Emergency Management Commission.

- CA-24 Consider motion to adopt RESOLUTION 2010-020, authorizing the City of Ankeny to apply to the Des Moines Area Metropolitan Planning Organization (MPO) for utilizing Federal "STIMULUS II" Program funding for the construction of the SW Magazine Road Paving Project from Ankeny Boulevard to SW Cherry Street.

- CA-25 Consider motion to adopt RESOLUTION 2010-021, authorizing the City of Ankeny to submit an application to the Iowa Department of Transportation for funding from the Federal "STIMULUS II" Program for the construction of the Gay Lea Wilson Trail Extension Project – Phase 1.

- CA-26 Consider motion to approve the Order Accepting Acknowledgement/Settlement Agreement with Tobacco Permit Holder, C & C Smokers Outlet, L.C., 121 N. Ankeny Blvd., Ankeny, Iowa.

- CA-27 Consider MOTION to adopt RESOLUTION 2010-022, authorizing the Mayor to sign a development agreement with Gary Flaherty concerning the use and future elimination of the secondary entrance drive connecting SE Oralabor Road within the limits of the 2009 SE Oralabor Road Reconstruction Project

- **Final Agenda Additions:**

- CA-28 Consider motion to set a Special Meeting for Thursday, February 4, 2010 - at 5:00 p.m.

**ACTION #2. Welch made the MOTION to approve the recommendations for Consent Agenda Items CA-1 through CA-28, seconded by Steenhoek.**

**ROLL CALL**

2010-0201.02                      YES    5            NO    0

**G. SUPPLEMENTAL & REMOVED CONSENT AGENDA ITEMS:**

**ACTION #3. No action taken.**

**H. RECESS: none**



**I. LEGISLATIVE BUSINESS:**

- Approval of Ordinances: none

**J. OLD BUSINESS:** none

**K. NEW BUSINESS:**

- Woodland Reserve Greenway Master Plan  
Scope of Services Contract - Wenk Associates

Todd Redenius presented a graphic of the Woodland Reserve Greenway Master Plan area and brief summary of the master plan project stating the area is a 108 acre greenbelt which extends from NE 36<sup>th</sup> Street and continues North to NE 54<sup>th</sup> Street.

**ACTION #4.** Strait made the MOTION to approve a Scope of Services Contract with Wenk Associates for the Woodland Reserve Greenway Master Plan and authorize Mayor to execute said contract, seconded by Kissinger.

**ROLL CALL**

<b>2010-0201.04</b>	<b>YES</b>	<b>5</b>	<b>NO</b>	<b>0</b>
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- North/East Polk County Coalition  
2010 Priorities

Tim Moerman, Economic Development Director, reviewed with council the organization of the North/East Polk County Coalition and how the regional involvement benefits all member cities.

**ACTION #5.** Block made the MOTION to adopt RESOLUTION 2010-023, supporting the efforts and endorsing the priorities of the North/East Polk County Coalition, seconded by Welch.

**ROLL CALL**

<b>2010-0201.05</b>	<b>YES</b>	<b>5</b>	<b>NO</b>	<b>0</b>
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- Proposed Otter-Renaissance Park Project - Phase II  
Initiate Proceedings

Councilor Steenhoek, inquired as to the procedure in terms of approving CIP projects. He stated the action before us is a project that will be in the CIP beginning 2010 which has not yet been approved.

City Manager, Carl Metzger, stated the dates for the bid-letting and the public hearing on this project are scheduled following the meeting at which council will have an opportunity to formally approve the Capital Improvement Program.



**ACTION #6.** Strait made the MOTION to adopt RESOLUTION 2010-024, ordering construction of certain public improvements and fixing a date for hearing thereon and taking of bids therefore, seconded by Kissinger. (date of bid-letting: 2/23/10 @ 10:30 a.m./date of hearing 3/1/10 @5:30 p.m.)

**ROLL CALL**

2010-0201.06                      YES    5            NO    0

**L. ADMINISTRATIVE BUSINESS:**

• REPORT OF THE CITY STAFF:

Chief Mikulec presented a report to council regarding an e-mail council received regarding parking issues at an apartment complex located on the south side of Ankeny in the Tradition development. As part of that report the Chief stated in a nine month period officers have noticed something two times.

City Manager stated recommendations have been made by the Metropolitan Planning Organization (MPO) for transportation improvements that are covered under the Stimulus II funding. Ankeny has been recommended to receive funding for one of those improvement projects. The project to receive such funding, if approved by the Senate, is the intersection of Magazine Road and Hwy 69 and SW Cherry Street project. Staff anticipates action by the Senate will occur by the end of February.

City Attorney Amy Beattie stated she will not be in attendance at the special meeting scheduled for Thursday, February 4<sup>th</sup> as she has a prior commitment with the Polk County Aviation Authority board. She stated there will be representation from her office and she would advise the city clerk ahead of time as to who would be attending. She further stated the appeal hearing will be held like any other council hearing.

• REPORT OF THE GOVERNING BODY:

Council Member Kissinger stated he will not be present at the Special meeting on Thursday, February 4<sup>th</sup>.

Council Member Block stated he would attend the Uptown Association meeting February 4<sup>th</sup>.

***Future Council Agenda Items:***

- ***Council Action Planning Session: 2010-2011 CIP Projects, Citizen Survey Results, CVB 28E Agreement – 2/8/10 @ 5:00 p.m.***
- ***Council Budget Workshop: CIP/2011 Budget - 2/12/10 (Friday) @ The Pinnacle Club @ 8:00 a.m.***
- ***Public Hearing – Vacation of Pedestrian Easement-Menards Ankeny Addition Plat 2 – 2/15/10 @ 5:30 p.m.***
- ***Council Action Planning Session: Budget Workshop - 2/22/10 @ 5:00 p.m. @ City Hall Council Chambers***
- ***Public Hearing – Otter Creek & Renaissance Park Improvements Project – Phase II – 3/1/10 @ 5:30 p.m.***
- ***Public Information Meeting:FY2011 Budget-2/25/10 (Thursday) @ 6:30 p.m. – City Hall Council Chambers***



**M. ADJOURNMENT**

**ACTION #7.** There being no further business, Kissinger made the MOTION to adjourn, seconded by Block. (6:15 p.m.)

**ROLL CALL**

<b>2010-0201.07</b>	<b>YES</b>	<b>5</b>	<b>NO</b>	<b>0</b>
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Pamela DeMouth, City Clerk

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Steven D. Van Oort, Mayor

The context of the above meeting will be submitted for council action at their next regular meeting on February 15, 2010.

Published in the Des Moines Register on the 16<sup>th</sup> day of February, 2010.